

Amendments to the Drawings:

The attached replacement drawing sheets make changes to Figs. 1-5 and replaces the original sheets with Figs. 1-5.

Attachment: Replacement Sheets

REMARKS

Claims 1-9 are pending in this application. By this Amendment, claims 1, 3, 4, 6 and 8 are amended, and Figs. 1-5 have been amended.

Applicant claimed priority in accordance with 35 U.S.C. §119 to French Patent Application No. 03.04163 filed April 3, 2003. Applicant requests the Examiner acknowledge receipt of the certified copy of the original foreign application, filed April 16, 2004.

Claims 7 and 9 are withdrawn from consideration as being drawn to a non-elected species. However, it should be noted that claim 1 requires no material element additional to those required by the species claims, and each of the species claims require all the limitations of claim 1, therefore claim 1 is **generic** to claims 7 and 9. In the event that claim 1 is found allowable, the Applicant requests rejoinder of claims 7 and 9 (see MPEP §806.04(d)).

The drawings were objected to for not containing reference articles 31 and 36 and because they contain reference articles 26 and 28 not mentioned in the specification. Figs. 1-5 have been amended to remove reference to article 26 and to include article 36. Fig. 4 has been amended to remove reference to article 28 and include reference to article 31.

We respectfully request that the objection be withdrawn.

The specification was objected to for failing to provide proper antecedent basis for claimed subject matter. The reference to "double-acting cylinder" has been removed from claim 1 and it is believed that there are no further discrepancies between the specification and the claims.

We respectfully request that the objection to the specification be withdrawn.

Claims 1-6 and 9 were objected to on the grounds of informalities. Claim 1 has been amended to clarify the relationship between claim terms. The reference to a "double-acting cylinder" has been removed from claim 1. Furthermore, the claims have been clarified as requested.

We respectfully request that the objection be withdrawn.

Claims 1-6 and 8 were rejected under 35 U.S.C. §112, second paragraph. Claim 1 has been amended to remove reference to a "double-acting cylinder" so that the "energy recuperating cylinder" provides proper antecedent basis for "said cylinder." Claim 8 has been amended responsive to the Examiner's suggestion.

It is therefore respectfully requested that the rejection be withdrawn.

Claims 1-6 were rejected under 35 U.S.C. §102(b) as being anticipated by Northup et al. (U.S. Patent No. 4,296,670). The rejection is traversed.

Northup fails to teach a device, wherein during a counter recoil of a weapon, a cylinder is pushed in a direction of the counter recoil, as recited in claim 1.

Northup makes reference to three cylinders; surrounding pistons 2, 4 and 8 (col. 3, lines 31 and 32 and col. 4, line 20). Of these three cylinders, only the cylinder surrounding piston 8 has a first chamber connected to a hydraulic power circuit that pushes the hydraulic fluid in the circuit into a storage accumulator when said weapon recoils (Fig. 1, to the right of piston 8), therefore the Applicant assumes that the Examiner is asserting that piston 8 is the energy recuperating cylinder of Northup. However, Northup does not teach a recuperating cylinder that incorporates a rod integral with said piston, said rod pushed by said weapon during its counter recoil. Instead, Northup teaches that piston 8 is moved during the recoil by recuperator gas pressure venting to chamber 83 (col. 4, lines 56-61). Only during the recoil of the weapon does Northup teach that the weapon makes contact with piston 8 (col. 5, line 24 and lines 42-47). The rejection is traversed.

We respectfully request that the rejection be withdrawn.

Claim 8 was rejected under 35 U.S.C. §103(a) as being unpatentable over Northup as applied to claims 1-6 and further in view of Boissiere et al. (U.S. Patent No. 6,536,324). The rejection is traversed.

Boissiere does not teach the deficiencies of Northup as described above with respect to amended claim 1, in particular, wherein during a counter recoiling of a weapon, a recuperating cylinder is pushed in a direction of the counter recoil.

We respectfully request that the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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WPB:JAR/tbm

Attachment:
Replacement Sheets (Figs. 1-5)

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